### 103D CONGRESS 1ST SESSION

# H. R. 2489

To confer jurisdiction on the United States Claims Court with respect to land claims of Pueblo of Isleta Indian Tribe.

## IN THE HOUSE OF REPRESENTATIVES

June 22, 1993

 $\label{eq:mr.skeen} \mbox{Mr. Skeen (for himself and Mr. Schiff) introduced the following bill; which was referred to the Committee on the Judiciary$ 

# A BILL

To confer jurisdiction on the United States Claims Court with respect to land claims of Pueblo of Isleta Indian Tribe.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 **SECTION 1. JURISDICTION.**
- 4 Notwithstanding sections 2401 and 2501 of title 28,
- 5 United States Code, and section 12 of the Act of August
- 6 13, 1946 (60 Stat. 1052), or any other law which would
- 7 interprose or support a defense of untimeliness, jurisdic-
- 8 tion is hereby conferred upon the United States Claims
- 9 Court to hear, determine, and render judgment on any
- 10 claim by Pueblo of Isleta Indian Tribe of New Mexico

- 1 against the United States with respect to any lands or in-
- 2 terests therein the State of New Mexico or any adjoining
- 3 State held by aboriginal title or otherwise which were ac-
- 4 quired from the tribe without payment of adequate com-
- 5 pensation by the United States. As a matter of adequate
- 6 compensation, the United States Claims Court may award
- 7 interest at a rate of 5 percent per year to accrue from
- 8 the date on which such lands or interests therein were ac-
- 9 quired from the tribe by the United States. Such jurisdic-
- 10 tion is conferred only with respect to claims accruing on
- 11 or before August 13, 1946, and all such claims must be
- 12 filed within three years after the date of enactment of this
- 13 Act. Such jurisdiction is conferred notwithstanding any
- 14 failure of the tribe to exhaust any available administrative
- 15 remedy.

#### 16 SEC. 2. CERTAIN DEFENSES NOT APPLICABLE.

- 17 Any award made to any Indian tribe other than the
- 18 Pueblo of Isleta Indian Tribe of New Mexico before, on,
- 19 or after the date of the enactment of this Act, under any
- 20 judgment of the Indian Claims Commission or any other
- 21 authority, with respect to any lands that are the subject
- 22 of a claim submitted by the tribe under section 1 shall
- 23 not be considered a defense, estoppel, or set-off to such
- 24 claim, and shall not otherwise affect the entitlement to,
- 25 or amount of, any relief with respect to such claim.

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